

2600 Fresno Street, Third Floor

Historic Preservation Commission Agenda (revised 12.08.09)

DON SIMMONS, Ph.D.

Chair

CHRISTOPHER JOHNSON AIA

Vice Chair

Commission Members

PATRICK BOYD

SALLY CAGLIA

TERESA ESPAÑA, M.A.

JOE MOORE

MOLLY LM SMITH

KEITH BERGTHOLD

**Assistant Director, Department
Planning and Development**

DARRELL UNRUH

Secretary, Planning Manager

WILL TACKETT, Planner III

Recording Secretary

KARANA HATTERSLEY-

**DRAYTON, M.A. Historic
Preservation Project Manager**

The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, signers, assistive listening devices, or translators should be made one week prior to the meeting. Please call the Historic Preservation Project Manager at 621-8520.

The Historic Preservation Commission welcomes you to this meeting.

December 14, 2009

MONDAY

5:30 p.m.

**CONFERENCE ROOM A
2nd floor, City Hall**

2600 FRESNO STREET

- I. CALL TO ORDER AND ROLL CALL- 5:30 p.m.**
- II. APPROVE MEETING MINUTES**
 - A. Approve Executive Minutes for November 23, 2009.**
- III. APPROVE AGENDA**
- IV. CONSENT CALENDAR**

Historic Preservation Commission Meeting, December 14, 2009

V. CONTINUED MATTERS

A. Status Report On Violations Under FMC 12-1601 et seq. for Historic Properties Located at 1749 L Street, 1743 L Street, 1718 L Street and 2221-2223 San Joaquin Street.

- 1. Status Report on Courtesy Notice Dated February 27, 2009.**
- 2. Update on L Street Historic Preservation Plan Presented to the Historic Preservation Commission, 28 September 2009.**

VI. COMMISSION ITEMS

A. Consider and Take Action to Refer the Following Properties to the Code Enforcement Division for Violations of the Minimum Maintenance Provisions of the Historic Preservation Ordinance (Section 12-1626):

- 1. The Helm Home (HP#112) 1749 L Street.**
- 2. The Newman Home (HP#117) 1743 L Street.**

B. Adopt Historic Preservation Commission Meeting Schedule for CY 2010.

VII. CHAIRPERSON'S REPORT

A. 2009 FY Annual Report, Historic Preservation Commission.

VIII. UNSCHEDULED ITEMS

A. Members of the Commission

B. Staff

C. General Public

/X. NEXT MEETING: January 25, 2009 5:30 PM.

X. ADJOURNMENT

Executive Minutes City of Fresno Historic Preservation
Commission Meeting
November 23, 2009

I. Meeting called to order at 5:35 by Chair Don Simmons Ph.D.

Commissioners in Attendance:

Sally Caglia
Joe Moore
Molly LM Smith
Patrick Boyd

Commissioners Absent:

Teresa España
Chris Johnson

Staff for the City of Fresno:

Karana Hattersley-Drayton (Historic Preservation Project Manager)
Darrell Unruh, Secretary

II. Approve Meeting Minutes. Molly LM Smith noted that there was no mention of the actual vote for the Wilson Island Historic District in the September minutes. Also she clarified the questions posed by herself and Commissioner Moore regarding any fines levied to date against One by One. Commission Chair Don Simmons also noted that he had recused himself from the discussion pertaining to L Street properties due to the fact that he has a current client on L Street. Molly moved and Sally Caglia seconded a motion to approve the minutes with corrections. Motion passed 5-0.

III. Approve Agenda. Molly LM Smith moved to accept the agenda as presented. Motion seconded by Patrick Boyd and adopted 5-0.

IV. There were no items on the Consent Calendar.

V. CONTINUED MATTERS

A. Status Report On Courtesy Notice for Violations Under FMC 12-1601 et seq. for the Helm Home (HP# 112, 1749 L Street), the Newman Home (HP#117, 1743 L Street) and the Judge William D. Crichton Home (HR#005, 1718 L Street).

Don Simmons, Chair recused himself from discussion and left the room.
Molly LM Smith (former Vice Chair) was asked to chair the agenda item.

Karana Hattersley-Drayton gave a summary of the staff report, which considered the status of two separate issues: the Courtesy Notice for Minimum Maintenance Issues sent to One by One on behalf of the Historic Preservation

Commission and the status of the Preservation Plan for the Helm Home and the Newman Home presented by the property owners at the September HPC meeting. She mentioned that she has contacted all members of the Preservation Team for the Helm and Newman Homes; also that today she received a call from a company that has been hired by One by One to help negotiate the insurance settlement for the Newman Home. She concluded by saying that these are complex, difficult questions, but that we need to keep our attention focused on these Maintenance issues and ask hard questions.

Mike Zachry (809 E. Holland/One by One Leadership Foundation): Noted that they are about 2 weeks behind in their timeline as presented in the September Plan. They have tarped the roof of the Helm Home. They are working on the insurance settlement for the Newman Home. They are still working with the Fresno Housing Authority but reported that the potential developer/purchaser of the properties on the east side of the block has let the properties fall out of escrow. They are looking for other buyers for the east side properties. The Helm Home and Bean Home, as reported, have a tax lien against the properties but will not be listed for a tax sale until the end of February 2010. They plan to sell the houses and pay the back taxes out of escrow. He summarized the report as presented to the Commission prepared by the City's building department: that the Newman Home is a 70% loss.

Joe Moore: Asked whether the Foundation was aware of the tax lien when speaking to the HPC at previous meetings? He also asked whether the loss of the developer on the east side affects current plans?

Mr. Zachry responded that yes, the Foundation already knew about the tax liens at the September meeting but knew they had time until February. The loss of the developer does not affect their plans for the west side.

Patrick Boyd: Asked whether the Helm Home loan has been scheduled with the FHA Board. **Zachry** responds that it is his understanding that the funding proposal for the Helm Home has gone to the Fresno Housing Authority Board for approval and that the terms for the loan just need to be worked through.

Karana Hattersley-Drayton queried Mr. Zachry on the status of the structural analysis report for the Newman Home which is in addition to the City's fire report. Mr. Zachary deferred to Chris Johnson (project architect) on this issue.

Molly Smith: Asked about the tarping /protection for the Newman Home. **Mr. Zachry** referred to the contractor, Gary Catron, who previously noted that due to the damage to the building it is impossible to tarp at this time without making significant structural repairs. Smith also asked about the structural analysis on the Helm Home. Zachry replied that he needs to talk to Gary Catron about this report.

She asked whether the plan is still to do a structural analysis and submit plan checks to Planning in December? Zachry answered, yes, unless they can find a buyer for the Helm Home.

The item was opened to the public for discussion.

Jeanette Jurkovich (1130 W. Roberts): Stressed that it is important to take action and to fine the property owners. She asks first about the east side of L/San Joaquin and wondered about the status of the home on San Joaquin which has been purchased by [Granville Homes]. Ms. Jurkovich asked a series of questions related to the Foundation's financial status and board membership. She also noted that the properties have been for sale at unrealistically high prices. She suggested that a citizens group might be useful to help support the Foundation in finding solutions. She also asked about the preservation experience of the contractor on the project, Gary Catron.

Mike Zachry; one person is on paid staff of the Foundation; loans on Helm and Newman Homes are not in default. The loans are through Central Valley Community Bank. He mentions the difficulty of keeping buildings boarded up against intruders. Executive Committee of the Board is in charge of the buildings and selling off assets. Executive Committee consists of H. Spees, Doug Davidian, William Smitcamp, David Johnson, Dan Larios.

Joe Moore asked staff about the status of a "contributor" to District [2231 San Joaquin Street]. Karana answers that the Commission previously approved a demolition permit for the parcel which is now owned by Granville Homes [Ed. *Note: The action in August was whether the property merited nomination to the Local Register or not. Commission on a 5-0-1 vote found that the home, also damaged by fire, did not warrant individual listing on the Register. If it is not a historic resource, as defined by CEQA, then the Commission has no jurisdiction over the property. See staff report for August HPC 2009. Property owner was granted a demolition permit on 11.24.09.*]

Joe Moore: Asked whether One by One would be willing to work with a citizens' group? Zachry responded that he can take this to the Executive Committee of the Board for consideration.

Patrick Boyd: Wondered aloud who would make up such a citizens committee.

Mike Zachry responded that the issue for them is not people or staff time, rather "negotiations" with larger organizations.

Joe Moore: Asked whether Mike is confident that they have the capacity to do the work?

Mike Zachry: Once the negotiations are completed they will be ready to go.

Sally Caglia: Can the organization move forward with the structural analysis?

Mike Zachry: Once the funds are in hand they will be able to hire the required vendors and specialists. They can only count on so much volunteer work and gratis.

Karana Hattersley-Drayton: Received a call today from Adjustor representing One by One regarding a discrepancy with the currently appraised value of the Newman Home. She reminded the Commission that should the Procedures Manual for Enforcement of Minimum Maintenance Standards be adopted at the December Commission meeting, commissioners can choose to begin to levy fines against these properties.

Joe Moore: Noted his overall concerns with lack of progress. It is important to keep all options open. He encouraged Commission involvement in this process.

Patrick Boyd asked for clarification regarding function and content of the Minimum Maintenance Procedures Manual. Karana responded regarding the intent of the manual which is to enforce already existing sections of the Historic Preservation Ordinance.

Sally Caglia: Spoke on behalf of One by One; and is sympathetic to their economic situation. Fines may not be useful in this case.

Joe Moore: Requested additional information from One by One regarding financial background and relationships for next meeting.

Molly LM Smith: Summarizes that for the next meeting it would be useful to have a list of those historic properties that Gary Catron has worked on, the Board's interest in having any additional help. The hope is that at the next HPC meeting One by One will be current with their timeline, as presented at the September meeting.

There were no further questions or discussion on this agenda item. Chair Simmons was summoned and returned to the meeting.

VI. COMMISSION ITEMS

A . Review and Approve Conservation/District Plan for the Wilson Island Historic District (Council District 01) Pursuant to FMC 12-1610(f).

Karana Hattersley-Drayton mentioned the Council's approval of the District and the positive tone of that hearing. She then reviewed the staff report, noting that the property owners in a designated Historic District have three options regarding

design review: they can choose to stay under an existing group (Tower District), they can set up their own design review committee or they can defer all permits to the Historic Preservation Project Manager and as appropriate to the Commission. She noted that she met with the property owners on a recent Sunday afternoon and provided them with a draft of a conservation plan that was revised from that initially prepared for the proposed Huntington Boulevard Historic District. After a few additions and minor revisions the group accepted the Plan and asked to have it adopted by the Commission. The District will defer all permit requests to the Historic Preservation program.

Molly LM Smith: Commented positively on Conservation Plan.

Joe Moore asked about the Secretary of Interior's Standards as regards for example exterior paint. His concern regards consistency. **Karana Hattersley-Drayton and Molly LM Smith** responded that paint is not a permitted activity in the City and the property owners have not chosen to have that be reviewed. Paint color is also reversible.

Molly LM Smith moved and **Joe Moore** seconded to accept the Conservation/District Plan for the Wilson Island Historic District as submitted. Motion approved on a 5-0 vote.

VII. CHAIRPERSON'S REPORT

A. 2009 FY Annual Report, Historic Preservation Commission.

Don Simmons reported on progress to date in collecting information for the annual report and requested that commissioners who have not responded, please do so.

VIII. UNSCHEDULED ITEMS

A. Members of the Commission:

Joe Moore asked to review the role and function of subcommittees and referenced the memo to file for the Warehouse Row Project. He was troubled by the use of the term "findings." He also reported that he has signed up for the CLG list serve. He also asked if we have a policy for conducting historic surveys.

Karana Hattersley-Drayton responded affirmatively, the Department uses the protocol of intensive surveys as evident for example in recent surveys presented to the Commission for review.

Don Simmons referred to a letter of inquiry regarding Commission subcommittees that he has received.

B. Staff

1. Huntington Boulevard Home Tour 2009 and “Greening Up Your Historic Home,” November 13-14.

Karana Hattersley-Drayton reported that the talk and panel discussion held in conjunction with the tour were very successful and well attended: Roosevelt High School library was full. She publicly thanked Commissioner Johnson, Jon Carroll (homeowner) and the City’s Sustainability Manager, Joseph Oldham, for their participation. There is clearly an interest in the intersection between historic preservation and energy efficiency/sustainability.

C. General Public

There were no general comments from the Public.

Don Simmons reminded commissioners and staff that they are invited to his home for a holiday dinner following the next meeting, December 14.

The Meeting was adjourned at 6:50 PM.

**Respectfully submitted,
Karana Hattersley-Drayton
Historic Preservation Project Manager**

Attested to:

Don Simmons Ph.D. Chair

Darrell Unruh, Secretary



REPORT TO THE HISTORIC PRESERVATION COMMISSION

AGENDA ITEM NO. VA-1
HPC MEETING: 12/14/2009

December 14, 2009

FROM: KEITH BERGTHOLD, Assistant Director
Planning and Development Department

APPROVED BY

DEPARTMENT DIRECTOR

THROUGH: DARRELL UNRUH, Planning Manager
Secretary, Historic Preservation Commission

BY: KARANA HATTERSLEY-DRAYTON
Historic Preservation Project Manager

SUBJECT: STATUS REPORT ON VIOLATIONS UNDER FMC 12-1601 ET SEQ. FOR THE
HISTORIC PROPERTIES LOCATED AT 1749 L STREET, 1743 L STREET, 1718 L
STREET AND 2221-2223 SAN JOAQUIN STREET

1. Status Report on Courtesy Notice Dated February 27, 2009

RECOMMENDATION

Staff recommends that the Historic Preservation Commission receive this status report on the Courtesy Notice sent to One by One Leadership Foundation on February 27, 2009 regarding the condition of the designated historic buildings listed at 1749 L Street, 1743 L Street, 1718 L Street and 2221-2223 San Joaquin Street and hold a public hearing.

BACKGROUND

At its February 23, 2009 public hearing the Historic Preservation Commission requested that staff pursue formal action under the Minimum Maintenance provisions of the Historic Preservation Ordinance regarding the properties listed at 1749 L Street, 1743 L Street, 1718 L Street and 2221-2223 San Joaquin Street. On February 27, 2009 a formal letter was sent to the property owner, Fresno Leadership Foundation, which specifically cited violations of the Minimum Maintenance standards as listed under 12-1626 (see attached). A time frame to address these violations was set with a September 1, 2009 deadline.

Over the summer City planning, building, legal and code enforcement staff met on several occasions with the property owners as well as with a potential developer, to find a reasonable solution to both the maintenance issues at these properties as well as a potential for an in-fill project on the east side of L Street. Even so, there has been no change in the status of the condition of the properties owned by the Fresno Leadership Foundation, with two exceptions. On April 27, 2009 the property owners requested that the Historic Preservation Commission rescind the Heritage Property designation for the Burks Home, located at 2221-2223 San Joaquin Street pursuant to FMC 12-1612 (d). In late 2006 the home had a fire which burned the entire second floor and the back addition. On a 2-3-0 vote the motion to accept the staff's recommendation to de-list the building, due to loss of integrity, did not pass. In May 2009, the City hired Brooks-Ransom (Structural Engineers) to prepare a report on the integrity of the Burks Home (see attached). Incidentally, the City's Code Enforcement staff continues to monitor the status of this property as it is perceived to be a nuisance in its current state.

On September 18, 2009, the Newman Home (1743 L Street) also suffered a devastating fire. Damages to this building have been assessed by the City as a 70% loss. The Newman Home is one of two buildings included in an L Street Historic Preservation Plan that was presented to the Commission at its September 28, 2009 meeting. The status of this Plan will be discussed as a separate agenda item.

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Attachments: Exhibit A - Letter to Mike Zachry, Fresno Leadership Foundation, 27 February 2009.
Exhibit B - "Opinion of Repair Feasibility----2221-2223 San Joaquin Street," Report Prepared by Brooks-Ransom Associates for the City of Fresno's Historic Preservation Program 13 May 2009.



Planning and Development Department
Keith Bergthold, Interim Director

2600 Fresno Street, Third Floor
Fresno, California 93721-3604
(559) 621-8003 FAX (559) 498-1012

Please reply to:
(559) 621-8520

February 27, 2009

Mike Zachry
Fresno Leadership Foundation
1727 L Street, #101
Fresno, CA 93721

Dear Mr. Zachry:

At its February 23, 2009 public hearing the City's Historic Preservation Commission directed staff to pursue formal action under the Minimum Maintenance provisions of the Historic Preservation Ordinance. Attached is a Courtesy Notice detailing the failure of your organization, One by One Leadership Foundation/Fresno Leadership Foundation ("Foundation"), to respond to numerous violations under the Ordinance (FMC 12-1601 et seq.)

It is the intent of this letter to clarify the concerns which the Historic Preservation Commission, the Fulton-Lowell Design Review Committee, and Planning and Development staff have raised over the past three years regarding several of the designated historic properties owned by the Foundation. It is also the hope of all involved that the Foundation can respond to these concerns as quickly as possible. However, failure to address these violations in a timely fashion will lead to a Notice and Order and subsequent fines of up to \$10,000 per violation.

As a reminder, the Commission and its staff have worked with your organization over the past several years in good faith to assist the Foundation in both its program goals and in the restoration of these historic properties, which remain some of the City's "crown jewels," Specifically:

- **October 23, 2006:** The Historic Preservation and the Fulton-Lowell Design Review Committee held a joint public meeting to discuss historic issues with the Foundation. Topics included 1) the Foundation's short and long-range plans for restoration and preservation of the various historic properties, and 2) review of the minimum maintenance reports on six of the seven properties owned by the Foundation.
- **February 7, 2007:** Planning and Development Department staff met with you and Don Eskes regarding plans to rebuild the Burks home which had recently burned, the potential subdivision of the lot at the northeast corner of San Joaquin and L Street, and how best to market the properties and raise funds for restoration. At that time staff recommended that the Foundation apply for a CDBG grant for façade improvements.
- **February 26, 2007:** Foundation staff presented a report to the Historic Preservation Commission. The Commission minutes include the following: "Mr. Estes commented

One by One Minimum Maintenance Courtesy Notice

that the fire damaged building on San Joaquin was completely covered with insurance and that they will replace it with all anticipated code updates. On "L" Street, the Judge Creighton home should be completed by December, 2007, and has only minimum roofing issues. CDBG funds are helping with the restoration issues at three of the "L" Street houses, including roofing, painting, and blight outside of the structures. All deferred maintenance issues should be resolved with the grant."

- **March 8, 2007:** Letter from Historic Preservation Commission Chair, Kevin Enns-Rempel in support of the Foundation's CDBG grant request for funds to help with façade improvements for 1717, 1743 and 1749 L Street.
- **April 2, 2007:** Reports completed by the Department's consultant, Joe Burke, under the Minimum Maintenance standards of the City's Historic Preservation Ordinance for properties owned by Fresno Leadership Foundation mailed to Foundation (see additional copies as attached).
- **May 15, 2007:** Staff meeting with Restoration Team (Yosemite Drafting and Design Company) over rebuild of the Burks Home.

In addition to other numerous calls and consultations, Department staff also met at the Foundation offices with staff and potential stakeholders to discuss creative solutions to marketing the various buildings in the campus.

The following properties owned by the Foundation continue to have multiple violations under the Minimum Maintenance Provisions of the City's Historic Preservation Ordinance (FM 12-1626) as recorded in 2006 by the City's consultant Joe Burke and through a site visit by the City's Historic Preservation Project Manager on February 4, 2009. With minor exceptions the violations noted are for exteriors only and were made from the public right-of-way. Based upon the condition of the exteriors it is assumed that there are multiple violations on the interiors of these buildings as well:

The Helm Home (1749 L Street, HP #112):

The Helm Home has the most critical issues of all the Foundation's historic properties and is probably the most important historically and architecturally. Structural issues appear severe with cracks in exterior that extend through the masonry; particularly critical is the cantilevered northeast corner of the façade. In addition, the cornice of the roof is in poor repair and the lack of support for a portion of the garage is equally alarming (see attached report and photos). Recent interior visits by private potential investors also indicate that there are significant animal feces inside.

Violations of FMC 12-1626(1), (4), (5).

The Newman Home (1743 L Street, HP#117)

This 1911 home is currently vacant and boarded. There are numerous breaks in the wood shingle cladding, damaged cornice materials, broken stairs and steps.

Violations of FMC 12-1626 (1), (4), (5) (8).

One by One Minimum Maintenance Courtesy Notice

Dr. Floyd L. R. Burks Home (2221-2223 San Joaquin Street, HR #006)

The Burks Home was in excellent condition when on May 22, 2006 it was listed as a heritage resource upon request of One by One staff (see attached primary record from 2.8.06). Due to a fire in the adjacent property the Burks home sustained severe fire damage in late 2006. The Foundation reported that the building had 100% insurance coverage and would be rebuilt using the Secretary of Interior's Standards. Foundation staff and their consultants met with City staff on May 15, 2007 to discuss the protocol. As of February 5, 2009, the building has neither been repaired nor demolished.

Violations of FMC 12-1626 (3) (4) (5) (8) (9) (10).

The Judge William D. Crichton Home (1718 L Street, HR #005).

Other than a new roof, there are no apparent changes to the condition of this building since it was designated a heritage resource upon request of the Foundation. There are broken windows on the former sleeping porch.

Violations of FMC 12-1626 (8)

It is important to note that two historic buildings owned by the Foundation, 1727 L Street (The Long/Black Home) and 1705 L Street (The Bean Home) appear to be in good to excellent condition. In addition, all lawn areas at the various historic properties are well tended.

Time Frame to Repair Violations:

Due to the number of properties owned by the Foundation, but also in light of the extended length of time that has occurred since the Commission and staff first brought these conditions to the attention of the Foundation, we recommend that all serious maintenance issues (versus cosmetic ones such as exterior paint) be completed no later than **September 1, 2009. The one exception is that we request that new supports be attached immediately to the underside of the overhang on the garage at the Helm Home.** This area poses an eminent threat to public health and safety.

Enforcement Action:

If these violations continue unabated enforcement action in the form of a Notice and Order, which will include violations of state and local law other than the Historic Preservation Ordinance, will follow with fines up to \$10,000 per violation, as allowed under FMC 12-1628. As always the Commission and city staff are willing to work with the property owners to reach a fair and equitable solution, but not at the expense of the further destruction of these historic resources.

Sincerely,

Karana Hattersley-Drayton
Historic Preservation Project Manager
City of Fresno

One by One Minimum Maintenance Courtesy Notice

Copy: Bill Smittcamp, President (One by One Leadership Foundation)
Keith Bergthold, Interim Director (Planning and Development Dept.)
Jerry Bishop, Assistant Director (Planning and Development Dept.)
Darrell Unruh, Planning Manager (Secretary, Historic Preservation Commission)
Don Simmons, Ph.D. (Chair, Historic Preservation Commission)
Charlotte Hylton, Deputy City Attorney

Enc. Minimum Maintenance reports for 1749 L Street and 1717 L Street.
Additional photos of 1749 L Street, 1717 L Street, 1718 L Street and 2221-23
San Joaquin, 4 February 2009.
Primary Record for 2221-23 San Joaquin
City of Fresno Historic Preservation Ordinance

Photos, February 4, 2009



Helm Home (HP# 112)



One by One Minimum Maintenance Courtesy Notice



Newman Home (HP#117)



Dr. Floyd L. R. Burks Home (HR #006)

One by One Minimum Maintenance Courtesy Notice



**Judge Crichton Home
HR # 005**





BROOKS-RANSOM ASSOCIATES

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GAYLORD "RICK" RANSOM, SE, CE
KLARE YAVASILE, SE, CE

DWIGHT DREW, SE, CE
ARTURO LOPEZ, PRINCIPAL

13 May 2009

Ms. Karana Drayton
City of Fresno
Development Department
2600 Fresno Street, Room 3043
Fresno, CA 93721

Subject: Opinion of Repair Feasibility – 2221-2223 San Joaquin Street

Karana;

Proceeding at your request I traveled to the subject location on May 11, 2009 to observe the condition of the single family residence which is located there.

I was met at the site by you, Mike Zakery, and Jesse Morrison. After a brief discussion, both you and Mike left the site while Jesse and I proceeded to walk through the building, taking notes, measurements, and photos of the building as we proceeded.

The subject residence was most likely built in the early 1900's and is commonly known as a "four square" configuration. The building is a wood framed two story structure with a basement. At the time of my inspection the entire second story roof structure was missing due to a fire having occurred a few years ago. The newer single story addition to the rear of the building had been severely damaged as well, with much of the framing having been burned down to the wood floor.

Looking at the front of the home from the street, the right side wall of the building exhibited burning of some of the wall studs, plates, and headers.

The question has been posed to me as to whether or not the building is salvageable. The primary issue to consider in answering this question is the issue of the cost to rebuild the structure as a repair, as opposed to the cost to demolish the building and build a like structure from the ground up.

It is my opinion that the cost to rehabilitate this building would exceed the cost to demolish this building and to build a new building of similar configuration. However, it is also my opinion that there is sufficient structure of sound condition remaining so as to make it POSSIBLE to rehabilitate the existing building.

My opinion of the economic infeasibility of rehabilitating this building is based on the number of significant issues that would need to be addressed to successfully restore this structure. These include, but may not be limited to, the following:

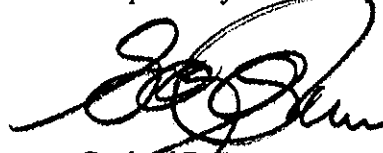
- 1) The entire second floor roof and ceiling framing would need to be installed as new work.
- 2) Some areas of the second floor system have damaged floor boards and several floor joist were broken. These would all need to be repaired and/or replaced.
- 3) The entire electrical system for the home has been stripped from the building.
- 4) The entire sewer system for the home has been damaged and must be replaced.
- 5) The entire plumbing vent for the home is damaged and must be replaced.
- 6) The entire heating (and air conditioning?) system would need to be replaced.
- 7) The basement was originally built without retaining walls. The exposure of this area to free flowing water over the years since the fire has continued to degrade the basement walls to the point where a significant structural rehabilitation of the basement will be required.
- 8) Due to erosion of the basement walls, some of the home's foundations are at risk due to their proximity to the degrading earth walls of the basement.
- 9) The addition at the rear of the home is heavily damaged at the roof, walls, and floor. This entire portion of the building should be demolished and built anew.
- 10) Almost all of the interior, and much of the exterior, building finishes are damaged or missing and need to be installed as new work.
- 11) If the building is to undergo a change of use from a residence to office occupancy, it is my opinion that existing floor systems would need to be upgraded to withstand the heavier floor live loads associated with an office use.

While it is almost always possible to rehabilitate a building if one has an unlimited budget, it is my opinion that the amount of work that would be required to rehabilitate this building greatly exceeds the cost to demolish this building and to construct a new building of similar size and geometry.

For your use and information, I have appended a copy of the photos that I took at the site, as well as a copy of the floor plan that we prepared to record the size of the building.

It is hoped that this report will provide you with the information that you need to move forward with your decision as to the disposition of this building. If you have any questions, or if you require any additional information, please feel free to contact me directly.

Respectfully Submitted

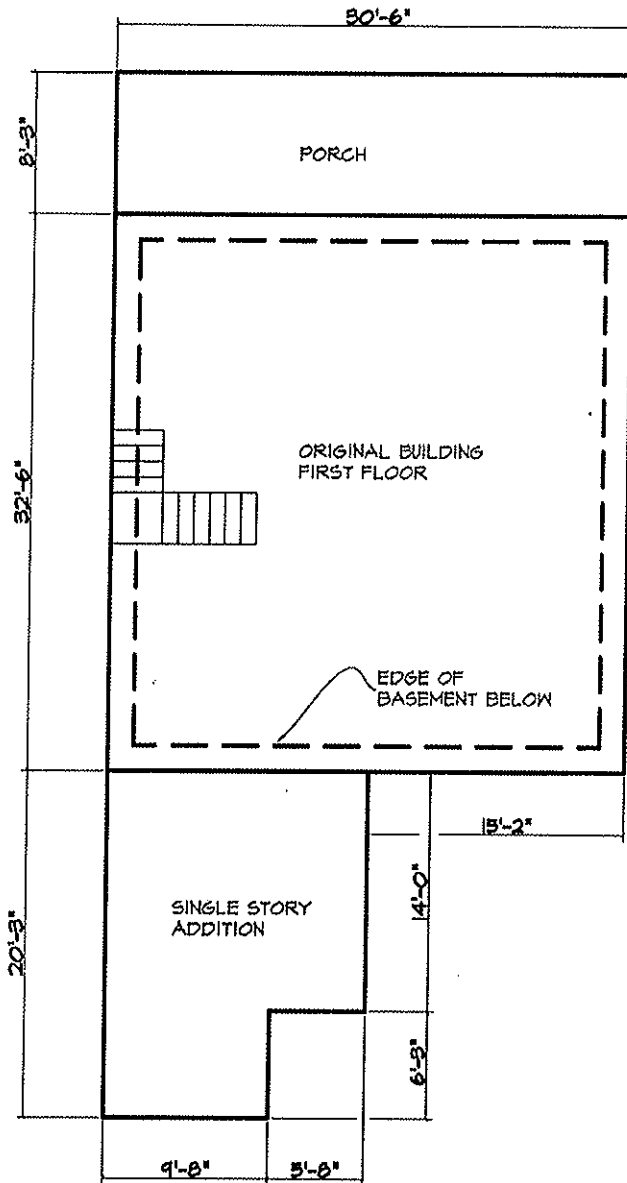

Gaylord R. Ransom S.E.
President



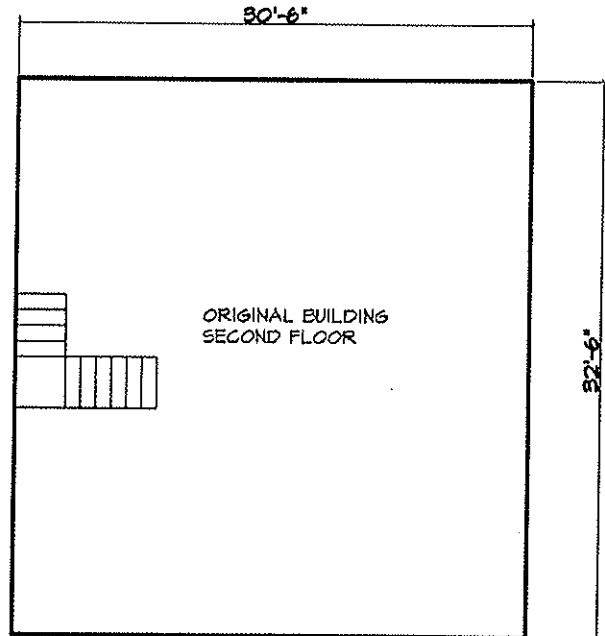
Attach: Photos & Floor Plan

gr
BRA# 09213
O:/2009/09213
report.docx

SAN JOAQUIN STREET



FIRST FLOOR PLAN



SECOND FLOOR PLAN



BROOKS RANSOM ASSOCIATES
 STRUCTURAL ENGINEERS
 CIVIL ENGINEERS
 7415 N. PALM AVE., SUITE 100
 FRESNO, CALIFORNIA 93711
 (550)440-8444 FAX: (550)440-8404

CITY OF FRESNO
PLANNING and DEVELOPMENT
 2221-23 SAN JOAQUIN
 FRESNO CALIFORNIA

By: **RANSOM**
 Date: **13 MAY 09**
 Job no: **09213**

Sheet
SD-1



REPORT TO THE HISTORIC PRESERVATION COMMISSION

AGENDA ITEM NO. VA-2
HPC MEETING: 12/14/2009

December 14, 2009

FROM: KEITH BERGTHOLD, Assistant Director
Planning and Development Department

APPROVED BY

DEPARTMENT DIRECTOR

THROUGH: DARRELL UNRUH, Planning Manager
Secretary, Historic Preservation Commission

BY: KARANA HATTERSLEY-DRAYTON
Historic Preservation Project Manager

SUBJECT: STATUS REPORT ON VIOLATIONS UNDER FMC12-1601 ET SEQ. FOR HISTORIC
PROPERTIES LOCATED AT 1749 L STREET, 1743 L STREET, 1718 L STREET AND
2221-2223 SAN JOAQUIN STREET

2. Update on L Street Historic Preservation Plan Presented to the Historic Preservation Commission, 28 September 2009.

RECOMMENDATION

Staff recommends that the Historic Preservation Commission review and receive public comments regarding the status of the L Street Historic Preservation Plan as initially presented by One by One Leadership at the September 23, 2009 Commission meeting. The report outlined plans for the restoration of the Helm Home located at 749 L Street and the Newman Home located at 1743 L Street.

BACKGROUND

At the September 28, 2009 Commission meeting One by One Leadership presented a written and oral proposal for an "L Street Historic Preservation Plan." This Plan included the resumes of a Historic Preservation Development Team and Plans (with timelines) for the restoration of both the Helm Home and the Newman Home. In addition, a letter was presented from the Fresno Housing Authority which expressed the Authorities' "intent to provide One by One Leadership Foundation a construction loan," subject to approval by the Boards of Commissions.

The timelines presented to the Commission stated that by November 1st the "Helm Home roof would be secured" and by December 1st a structural analysis would be completed and plans submitted to Plan Check. A roof would be secured and debris cleared for the fire damaged Newman Home by November 1st and a structural analysis completed by December 1st. At the November 23rd hearing the staff report noted other than a partial tarp over the roof on the Helm Home, no progress had been made on these restoration plans. In testimony before the Commission, Mike Zachry (Volunteer CEO) for One by One, reported that the organization was two weeks behind in its timeline; that they are working on the insurance settlement for the Newman Home fire; that the loan was initially approved by the Housing Authority for rehabilitation of the Helm Home and he deferred to the team's preservation architect and contractor regarding the status of structural reports on both buildings. Commissioners and a member of the public asked a series of questions related to the organization and financial solvency of One by One as well as a preservation resume for the team's contractor, Gary Catron.

The Commission should consider these and other questions as well as the status of the timeline for the L Street Historic Preservation Plan in light of pending code enforcement action against the property owner.



REPORT TO THE HISTORIC PRESERVATION COMMISSION

AGENDA ITEM NO. VIA
HPC MEETING: 12/14/2009

December 14, 2009

FROM: KEITH BERGTHOLD, Assistant Director
Planning and Development Department

KB

APPROVED BY

DEPARTMENT DIRECTOR

THROUGH: DARRELL UNRUH, Planning Manager
Secretary, Historic Preservation Commission

DU

BY: KARANA HATTERSLEY-DRAYTON
Historic Preservation Project Manager

KRD

SUBJECT: CONSIDER AND TAKE ACTION TO REFER THE FOLLOWING PROPERTIES TO THE
CODE ENFORCEMENT DIVISION FOR VIOLATIONS OF THE MINIMUM
MAINTENANCE PROVISIONS OF THE HISTORIC PRESERVATION ORDINANCE
(SECTION 12-1626):

1. The Helm Home (HP#112) 1749 L Street
2. The Newman Home (HP#117) 1743 L Street

RECOMMENDATION

Staff recommends that following a review of the status report for the L Street Historic Preservation Plan that the Historic Preservation Commission consider requesting that the Code Enforcement Division of the Planning and Development Department take action to "require corrections of defects" in the Helm Home and the Newman Homes as provided for in Section 12-1626 (c) of the Historic Preservation Ordinance.

BACKGROUND

At its February 23, 2009 public hearing the Historic Preservation Commission requested that staff pursue formal action under the Minimum Maintenance provisions of the Historic Preservation Ordinance regarding the properties listed at 1749 L Street, 1743 L Street, 1718 L Street and 2221-2223 San Joaquin Street. On February 27, 2009 a formal letter was sent to the property owner, Fresno Leadership Foundation, which specifically cited violations of the Minimum Maintenance standards as listed under FMC Section 12-1626. A time frame to address these violations was set with a September 1, 2009 deadline. As of the date of this staff report there is little evidence to the staff that the property owner, One by One Leadership Foundation (aka Fresno Leadership Foundation) has made any progress in remedying any of the violations which are clearly leading to demolition by neglect for these historic properties.

Previously, at the January 26, 2009 public hearing the Commission reviewed a draft Procedures Manual for Enforcing the Historic Preservation Ordinance. Comments from the Commission and the public were solicited at this meeting and were included in a final draft that was prepared by the attorneys for the Code Enforcement Division with input from preservation staff. The rationale for this Manual was to meld the Historic Preservation Ordinance's philosophy and its Minimum Maintenance standards with current code enforcement protocols in order to provide a tool for better enforcement of the Historic Preservation Ordinance. The Procedures Manual's "Notice and Order" draft letter, for example, removed the potential for demolition, as an alternative to making repairs. A new fine structure was recommended and included which was specifically tied to Section 12-1626(b).

At a recent Department meeting, staff representing Building and Safety Services and Code Enforcement Divisions raised concerns about this Procedures Manual, that it was a duplication of efforts with current code enforcement protocols. After further discussion the Department determined that efforts to achieve compliance with the Ordinance's Minimum Maintenance standards could proceed using provisions and protocols already in place with the Code Enforcement Division. Without the establishment of a Procedures Manual it would be the prerogative of the Commission to make a request to the Development Department as outlined under Section 12-1626 (c) to require that corrective actions be taken.

The Commission may wish to forward the previous Courtesy Letter of February 27, 2009 to the Department Director and request that he direct the Code Division to support and implement fines against the property owner, specifically for the Helm Home and the Newman Homes. Incidentally, Notice and Orders were previously drafted for these properties *pro forma* by City staff. However, the City's Building Official, Jerry Bishop, has agreed that Notice and Orders for designated historic properties must clearly state in the opening section of the letter that demolition of the buildings as a corrective action would require permission of the Historic Preservation Commission and additionally would necessitate environmental review such as an Environmental Impact Report, if pursued.

Attachments: Exhibit A - Section 12-1626 of the Historic Preservation Ordinance (FMC).

advice and guidance, the Commission shall be guided by the purposes and standards of this article. (Added Ord. 99-50, §§ 1, 2, 9-9-99)

SEC. 12-1624. PROPERTY OWNED BY PUBLIC AGENCIES.

The Commission shall take appropriate steps to notify all public agencies and public utilities which own or may acquire property, including easements and public rights-of-way, in the city about the existence and character of designated Historic Resources and Historic Districts, and the Commission shall cause a current record of such Resources and Districts to be maintained with each such public agency and public utility. All such designated Resources and Districts shall be subject to the provisions of this article regardless of ownership.

In the case of publicly owned properties which are not subject to the permit review procedures of the city, including this article, but are more than fifty (50) years of age or are located within any Historic District, the agency owning the said property is encouraged to seek the advice of the Commission prior to approval or authorization of any construction, alteration, or demolition thereon, including the use and placement of street furniture, signs, lighting, and landscaping; and, the Commission shall render a report to the owner as expeditiously as possible, based on the purposes and standards in this article. If Commission review of a public project involving construction, alteration, or demolition of any building, structure, object or site is required under any other law, the Commission may render the report referred to in this section to such public agencies without specific request therefor. (Added Ord. 99-50, §§ 1, 2, 9-9-99)

SEC. 12-1625. FIRE AND BUILDING CODE.

Issuance of a permit in conformance with this article shall not alter conformance requirements with the other standards and requirements of this chapter. The Director of Development and the Fire Marshal shall liberally construe and apply all pertinent codes, including the State Historical Building Code and the Uniform Building Conservation Code so as to effectuate the purposes of this article. (Added Ord. 99-50, §§ 1, 2, 9-9-99)

SEC. 12-1626. MINIMUM MAINTENANCE.

- (a) All designated Historic Resources including Contributors to any Historic District shall be preserved against decay and deterioration, kept in a state of good repair and free from structural defects. The purpose of this section is to prevent an owner or other person having legal custody and control over a property from facilitating demolition of a Historic Resource by neglecting it and by permitting damage to it by weather and vandalism.
- (b) Consistent with all other state and city codes requiring that buildings and structures be kept in good repair, the owner or other person having legal custody and control of a property shall repair such building or structure if it is found to have any of the following defects:

- (1) Building elements so attached that they may fall and injure members of the public or property.
- (2) Deteriorated or inadequate foundation.
- (3) Defective or deteriorated flooring.
- (4) Members of walls, partitions or other vertical supports that split, lean, list or buckle due to defective material or deterioration.
- (5) Members of ceilings, roofs, ceiling or roof supports or other horizontal members which sag, split or buckle due to defective materials or deterioration.
- (6) Fireplaces or chimneys which list, bulge or settle due to defective material or deterioration.
- (7) Deteriorated, crumbling or loose exterior plaster.
- (8) Deteriorated or ineffective waterproofing of exterior walls, roofs, foundations or floors, including broken windows or doors.
- (9) Defective or lack of weather protection for exterior wall coverings, including lack of paint, or weathering due to lack of paint or other protective covering.
- (10) Any fault, defect or deterioration in the building which renders it structurally unsafe or not properly watertight.
- (c) If the Commission has reason to believe that a Resource is being neglected and subject to damage from weather or vandalism, the Commission shall direct staff to meet with the owner or other person having legal custody and control of the Resource and to discuss with them the ways to improve the condition of the property. If no attempt or insufficient effort is made to correct any noted conditions thereafter, the Commission may, at a noticed public hearing, make a formal request that the Development Department or other appropriate department or agency take action to require corrections of defects in the subject Resource in order that such Resource may be preserved in accordance with this article. (Added Ord. 99-50, §§ 1, 2, 9-9-99)

SEC. 12-1627. STATUS OF PROPERTIES PREVIOUSLY DESIGNATED.

- (a) All Historic Resources and Historic Districts previously designated under Article 16 of Chapter 12 of the Fresno Municipal Code shall retain such status for a period of 30 days from the date of passage of this article, at



PLANNING AND DEVELOPMENT DEPARTMENT

THE HISTORIC PRESERVATION COMMISSION
of the
CITY OF FRESNO

2010 Meeting Schedule

*All Regular Meetings will be held on the Fourth Monday of Every Month
in Conference Room A, (2165N)
City Hall, 5:30 P.M. Unless Otherwise Noted*

January 25th

February 22nd

March 22nd

April 26th

May 24th

June 28th

July 26th

August 23rd

September 27th

October 25th

November 22nd

December 13th (second Monday due to holidays)

State of Historic Preservation

Annual Report



William F. Jones Home, 1112 E. Franklin Avenue (HP #265)

Historic Preservation Commission

FY 2009

(July 1, 2008-June 30, 2009)

City of Fresno
Historic Preservation Commission, FY 2009

DON R. SIMMONS, Ph.D.

CHAIR

MOLLY LM SMITH

VICE CHAIR

SALLY CAGLIA (April 2009-)

KEVIN ENNS-REMPEL, M.A

TERESA ESPAÑA, M.A. (April 2009-)

CHRIS JOHNSON AIA (April 2009-)

CAM MALOY (to March 2009)

MICHELE RANDEL, M.ARC., A.I.A., C.S.I. (to March 2009)

STATE OF HISTORIC PRESERVATION

Objectives of the Historic Preservation Commission

Established in 1979 (Ordinance 79-72, Section 13-400, Article 4 of the Fresno Municipal Code), the Historic Preservation Commission serves as an advisory commission to the City Council regarding historic resources in Fresno. The following objectives guide the Commission in carrying out its mandate:

- To preserve, promote, and improve the historic resources of the City of Fresno, for the educational, cultural and general welfare of the public.
- To review changes to those resources that have a distinctive character, or a special historic, architectural, aesthetic or cultural value to the city, state or nation.
- To safeguard our City's heritage by preserving, and regulating its historic buildings, structures, objects and sites that reflect elements of the city's historic, cultural, social, economic, political and architectural history.
- To preserve and enhance the integrity and safety of the city's historic landmarks.
- To establish, stabilize and improve property values and to foster economic development by protecting the city's unique historic heritage.

Specific duties and powers of the Commission include the following:

- Participation in environmental review procedures called for under the local ordinance, state law and federal law.
- Participation in development of the City's General Plan.
- Recommendation to City Council of properties for the City's Local Register of Historic Resources and overview of all permits on said properties.
- Recommendation to City Council of local historic districts and overview of all permits on properties in said districts.
- Review and comment on land use, housing, redevelopment, municipal improvements and other types of planning.

STATE OF HISTORIC PRESERVATION

RECENT ACTIVITIES FY 2009

The diversity of issues that come before the Historic Preservation Commission during the course of the year are varied, and many require a great amount of time in research, site visits, deliberation and close adherence to the City's Historic Preservation Ordinance and the Secretary of the Interior's Standards for the Treatment of Historic Properties. The Commission reviewed and commented on the following during FY 2009:

- Nomination of the Fulton Mall to the National Register of Historic Places
 - Draft Mitigated Negative Declaration for the Merger One (RDA)
 - Initial Study and Mitigated Negative Declaration for the Peach Avenue Widening Project
- Potential placement of picnic tables and other amenities behind the Veteran's Memorial Auditorium
 - Proposed "South Stadium" project with Forest City Enterprises
- Proposed removal of Heritage resource designation from the Floyd Burks Home, San Joaquin Street
 - N. Echo Avenue housing project
- Renovation plans for Spencer Home (HP#14), San Pablo Avenue; renovation and restoration plans for Towne Apartments, L. Street; placement of historic homes, Old Armenian Town
- Discussion of Demolition of Ice House in Warehouse Row (HP# 003) and review of plans for rehabilitation of remaining properties
 - Restoration plans for the Craycroft Home
- Draft of Procedures Manual for Enforcement of the Minimum Maintenance Standards, Historic Preservation Ordinance
- Approved initial application for Historic District status for Huntington Boulevard
 - Approved request to pursue formal action against property owners, Historic L Street; and considered conceptual plans for an infill project

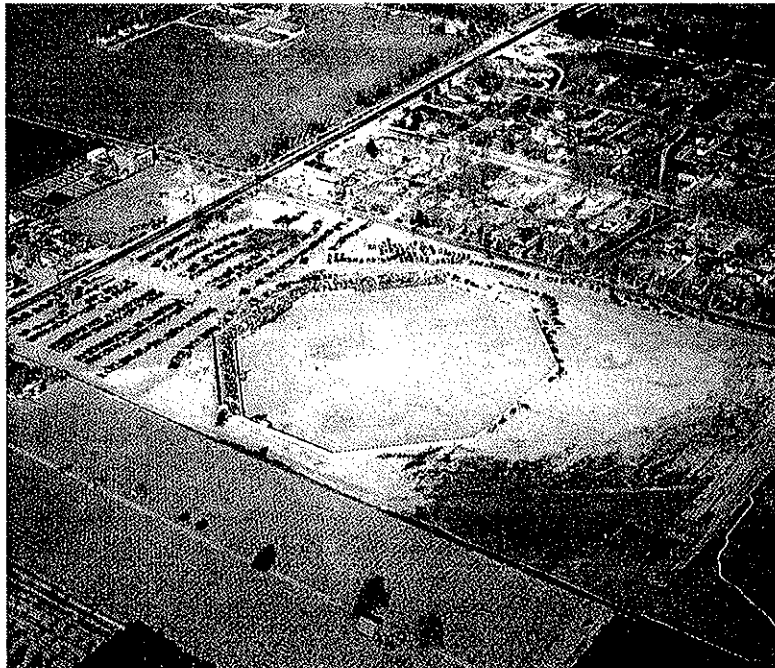
-Eligibility of the Bucks Adobe to the Local Register

STATE OF HISTORIC PRESERVATION

New Properties on the Local Register of Historic Resources

- HP#261 Fresno Photo Engraving Building, 748-752 Fulton Street (1946)
- HP#262 Liberty Laundry Building, 1830 Inyo Street (1928)
- HP#263 Baskin's Auto Supply Sign, 729 Broadway (1956)
- HP#264 Frank Chance Field Site, Southwest corner of Ventura and Cedar
- HP#265 William F. Jones Home, 1112 E. Franklin Avenue (1911)

Frank Chance Field Opening Day, March 14, 1935
Photo Courtesy: Laval Photographic Collection



STATE OF HISTORIC PRESERVATION

Above And Beyond The Call Of Duty

The Commission's public service and role are primarily at the regularly scheduled monthly meetings. However, behind the scenes, with the able assistance and guidance of **Karana Hattersley-Drayton**, the City of Fresno's Historic Preservation Officer, several commissioners make important, but less visible contributions to the City's historic preservation efforts.

As professional architects, **Michele Randel, AIA** and **Molly LM Smith** provided professional advice on several projects under review. Their wise counsel provided the commission and staff with a framework of knowledge necessary to help make the best decisions regarding projects that affect a historic resource.

Commissioner **Kevin Enns-Rempel** continues to maintain the web site "A Guide to Historic Architecture in Fresno, California" (<http://historicfresno.org>) which is the most comprehensive resource for documenting Fresno's architectural heritage.

Commission Chair **Don Simmons** observed a monthly meeting of the Historic Preservation Commission of the City of Beaufort, South Carolina. He also met with the Historic Preservation Officer for the City of Savannah, Georgia and Hilton Head, South Carolina. In addition, he represents historic preservation concerns for the Lowell Neighborhood Association and the Cultural Arts District Association. As Chair of the Commission he also participated on the City panel to review nominations for the Mayor's Historic Preservation awards, which were presented in December 2008.

As required by the Historic Preservation Ordinance, each commissioner is responsible for viewing and visiting the properties which come to the commission's agenda. From crossing a pasture to view an adobe structure, to donning hard hats to inspect a deteriorating building or driving by a residential property, the commissioners have taken their responsibilities outside of the meetings very seriously as well, and have provided the community with a valuable perspective of our vital historic resources.

STATE OF HISTORIC PRESERVATION

Continuing to Learn

Commissioners Caglia, España, Simmons and historic preservation officer Hattersley-Drayton attended the “Keeping Time II: A Historic Preservation Conference” held at the Columbia State Historic Park on June 19, 2009.” All commissioners also participated in a training held by the staff from the City Attorney’s office on Conflict of Interest. New commissioners Caglia and España received training and orientation in the City’s historic preservation program, the Brown Act and the California Environmental Quality Act (CEQA).



Reception with the Mayor

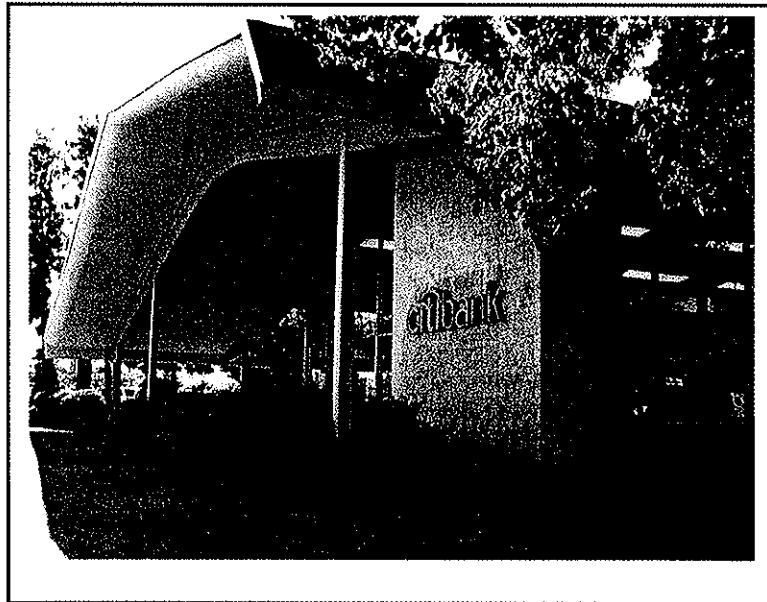
Sonora, California



STATE OF HISTORIC PRESERVATION

Noteworthy Accomplishments

Funded by the Department of Planning and Development, Lauren MacDonald, architecture historian (at the time with PRA), completed a historic context of modern architecture in Fresno. The “Modernism” survey includes interviews with notable area architects and is a significant document that draws our attention to the abundance of outstanding Post-World War II resources in Fresno. The survey is indicative of the challenge that lies ahead for preserving and honoring the more recent past. For many people, “historic” indicates a period prior to one’s birth, and it may be difficult for some to view structures built in the 1940s, 1950s and 1960s as historic and worthy of preservation. The Commission is committed to assisting the community to recognize the significance of history that may still be fresh in the minds of many.



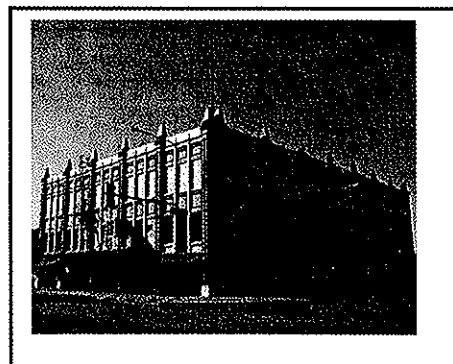
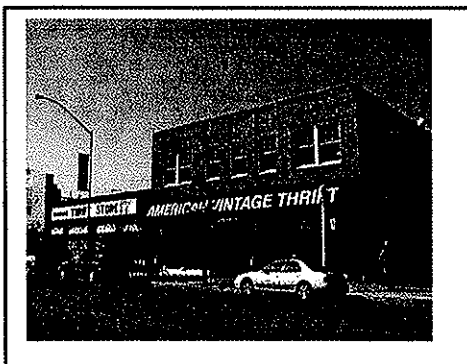
STATE OF HISTORIC PRESERVATION

Concerns and Interests

The Downtown triangle, particularly the Fulton Mall, continues to be an area of concern for the Commission. As noted urban planner Kirk Westphal states, “there is no greater first stage to reviving a downtown than preserving the historic fabric.” Working with Code Enforcement and other city agencies, we must move toward developing a comprehensive process and protocol which encourages downtown property owners to preserve and steward historic resources in a way that is enforceable and practical. Through the use of stricter Minimum Maintenance standards, a “mothball” ordinance, an Adaptive Reuse ordinance and Design Review, we can achieve that first step; however, the Historic Preservation Commission must be included in these discussions, and the other parties must realize that Historic Preservation requires a unique mindset and skill set in decision-making. By ordinance, the Commission has the responsibility to “enhance and insure the safety of the historic resources,” yet needs stronger “tools” with which to ensure this enhancement and safety. When the default protocol is “fix it up or tear it down,” that is counter-productive to the assumption that historic resources are contributors to a great city, not obstacles. As Jane Jacobs (1916-2006) stated,

“Cities need old buildings so badly it is probably impossible for vigorous streets and districts to grow without them. By old buildings I mean not museum-piece old buildings, not old buildings in an excellent and expensive state of rehabilitation—although these make fine ingredients—but also a good lot of plain, ordinary, low-value old buildings, including some rundown old buildings.”

A second area of concern is the need for preservation of resources from the more recent past, including Fresno’s wealth of Modern and mid-century resources. As highlighted in the recent survey of Modern design in Fresno, we must take the necessary steps to preserve and then celebrate these resources.



STATE OF HISTORIC PRESERVATION

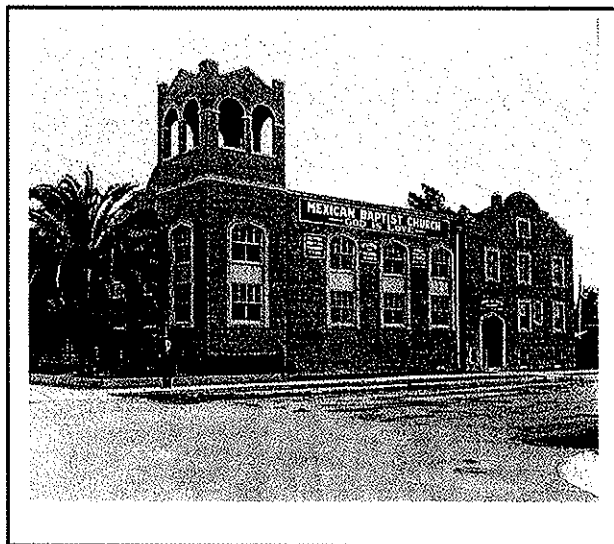
Concerns and Interests

The third area of concern is the need for a more diverse representation of Fresno's ethnic communities among the resources designated as eligible for the Local Register of Historic Resources. With Fresno's rich tapestry of ethnic communities, the resources included on the local registry should be fully representative of the entire spectrum of communities, languages and ethnicities in our city. Whereas many public buildings and resources are used by the entire community, there are specific styles, uses and designs which are ethno-specific and should be recognized. The Commission has the opportunity to become more proactive in seeking a broader community representation in the properties we nominate.

An area of interest for the Commission is our desire to communicate and educate the public, particularly youth and children, about the unique and plentiful historic resources of Fresno. Many Fresno residents are not aware of the work of the Commission, nor are they aware of the many historic resources that are throughout the city. A sub-committee for community outreach has been formed, and the Commission is actively pursuing this interest. We are interested in forming partnerships with Fresno Unified School District and the local universities to further this goal.

Bing Kong Tong Association

(1900) China Alley



First Mexican Baptist Church (1924)

STATE OF HISTORIC PRESERVATION

Acknowledgements

The Commission would like to express appreciation to **Mayor Ashley Swearingen** for appointing new members to the Commission since taking office. The Commission has every position filled for the first time in a decade, which greatly enhances our work on behalf of the residents of Fresno. We would also extend our appreciation to the Fresno Historical Society for their continued partnership, the Fulton-Lowell Design Review Committee and their chair, **Becky Fooré-Hayden**, for their participation and partnership and the Downtown Association, **Jan Minami**, Executive Director, for their support.

The Commission is grateful for the tireless efforts of **Karana Hattersley-Drayton**, City of Fresno Historic Preservation Officer, and to the Department of Planning and Development, with special appreciation to **Darrell Unruh**, Secretary, Planning Manager, for his years of advocacy and support.

Don Simmons, Ph.D., Chair

Molly LM Smith, Vice Chair

Patrick Boyd, Commissioner

Sally Caglia, Commissioner

Kevin Enns-Rempel, Commissioner

Teresa España, Commissioner

Chris Johnson AIA, Commissioner

Cam Maloy, Commissioner

Michele Randel AIA, Commissioner